

**STATE OF CALIFORNIA
FISH AND GAME COMMISSION
FINAL STATEMENT OF REASONS FOR REGULATORY ACTION**

Amend Section Subsection (b)(91.1), of Section 7.50
Title 14, California Code of Regulations
Re: Klamath River Sport Fishing Regulations

- I. Date of Initial Statement of Reasons: January 22, 2003
- II. Date of Pre-adoption Statement of Reasons: March 18, 2003
- III. Date of Final Statement of Reasons: April 25, 2003
- IV. Dates and Locations of Scheduled Hearings:
 - (a) Notice Hearing: Date: February 7, 2003
Location: Sacramento
 - (b) Adoption Hearing: Date: April 4, 2003
Location: Visalia
- V. Update: In the Initial Statement of Reasons, the Department advised the Commission that based on information then available, the Pacific Fishery Management Council's (PFMC) quota recommendation for the 2003 river recreational fishery was likely to fall within a range of 1,200 to 20,500 adult king salmon. The PFMC's final quota recommendation of 10,800 fish falls within the range adopted by the Commission at its April 4, 2003 meeting in Visalia.

Based on the PFMC quota recommendation of 10,800 fish and stakeholder input received during a public meeting held on March 26, 2003 in Weaverville, CA, the Department withdrew its recommendation for seasonal closures on the Trinity River from Old Lewiston Bridge to the Highway 299 West Bridge at Cedar Flat, and from Hawkins Bar Bridge (Road to Denny) downstream to the mouth of the Trinity River as reflected in the Initial Statement of Reasons and Pre-adoption Statement of Reasons.

The Commission also adopted the changes described below.

Closures to Modify Allocations: The Department is no longer recommending a seasonal closure to modify the harvest allocation of adult fall-run Chinook salmon in the Klamath River from Coon Creek Falls to Iron Gate Dam or in the Trinity River from Old Lewiston Bridge to the confluence with the Klamath River.

1. Allowable Fishing Season from Coon Creek Falls to 3,500 feet below Iron Gate Dam: The Department is no longer recommending that fishing for adult Chinook salmon be restricted to 28 days beginning when 50% of the basin impact quota has been taken below the falls at Coon Creek. The Department has committed to monitor the fishery from Coon Creek Falls to Iron Gate Dam. Therefore, the Department recommends that the current 17% sub-quota allocation for this area continue.

2. Allowable Fishing Season from Old Lewiston Bridge to the Highway 299 West Bridge at Cedar Flat: Based on the PPMC quota recommendation of 10,800 fish and stakeholder input received during a public meeting held on March 26, 2003 in Weaverville, CA, the Department withdrew its recommendation for seasonal closures within this section of the Trinity River.

3. Allowable Fishing Season from Hawkins Bar Bridge (Road to Denny) downstream to the mouth of the Trinity River: Based on the PPMC quota recommendation of 10,800 fish and stakeholder input received during a public meeting held on March 26, 2003 in Weaverville, CA, the Department withdrew its recommendation for seasonal closures within this section of the Trinity River.

Reduction in Daily Bag Limit, Weekly Bag Limit, and Possession Limit: The Department is no longer recommending a reduction in possession limits in the Klamath and Trinity rivers.

1. Reduction in Possession Limit: The Department is no longer recommending that the possession limit be reduced from 12 Chinook to 8 Chinook salmon. However, the Department is proposing that the Commission consider modifying the possession limit to no more than 12 king salmon, of which no more than four may be over 22 inches total length.

VI. Summary of Primary Considerations Raised in Support of or Opposition to the Proposed Actions and Reasons for Rejecting those Considerations:

Lambert, Jim, 9/26/02

- Recommends a maximum leader length of 4 feet for use in the Klamath and Trinity rivers and all weights must be attached no closer than 18 inches from the hook.

Department response: The gear restrictions Mr. Lambert recommends were adopted by the Commission in 2002. The restrictions applied only to the mouth of the Klamath River. The intent of the restriction was to reduce snagging of adult fall Chinook. During the 2002 fishing season, Department personnel monitored the effects of the regulation and found that the regulation was ineffective in reducing the number of adult Chinook salmon snagged. In 2003, the Department recommended that the

regulation be dropped. The Commission concurred and the regulation was abolished. There is no evidence that this type of gear restriction is effective in reducing the illegal harvest of Chinook salmon in the Klamath River basin.

Thorn, John, 1/31/03

- Recommends opening the Salmon River for catch and release fishing during August and September. Under current regulations the Salmon River is open from November 1 through February 28.

Department response: The closures on the Salmon River are designed to protect and enhance spring-run Chinook salmon, fall-run Chinook salmon and summer steelhead. The Salmon River is a primary summer steelhead spawning tributary and maintains the only significant populations of wild spring-run Chinook remaining in the Klamath River. Adult summer steelhead and spring-run Chinook salmon are migrating to holding and spawning areas from March through October. During August and September the Salmon River is low and clear making adult fish highly vulnerable to angling. This vulnerability combined with high water temperatures would result in unacceptable catch and release mortality rates for adult salmon and steelhead.

Nelson, Denver, 11/13/02

- Recommends developing a maximum temperature criteria which would close the Klamath River to all fishing if the temperature criteria is exceeded.

Department Response: Mr. Nelson is requesting that the Department set specific temperature criteria, which if exceeded, would trigger a closure in the Klamath River fishery. The proposed regulation would have to identify a temperature and corresponding area closure. Selecting a specific temperature for a given time period would be difficult since temperatures fluctuate daily. The Department is confident that any impacts associated with fishing during elevated water temperatures would not be deleterious to the resources if the sport fisheries quota is not exceeded.

Also, see the Department's summaries and analyses of public comments received at public hearings March 25 in Crescent City and in Weaverville on March 26 (attached).

VII. Location and Index of Rulemaking File:

A rulemaking file with attached file index is maintained at:

California Fish and Game Commission
1416 Ninth Street
Sacramento, California 95814

VIII. Location of Department files:

Department of Fish and Game
1416 Ninth Street
Sacramento, California 95814

IX. Description of Reasonable Alternatives to Regulatory Action:

(a) Alternatives to Regulatory Action:

1. Allowable Fishing Seasons above the Coon Creek Falls: The Department is reviewing all available data and meeting with the public to develop seasons which will equitably distribute the quota of adult Chinook salmon among all in-river non-tribal user groups throughout the Klamath River basin above Coon Creek Falls. The development of seasons will help control Chinook harvest and ensure that the total impact quota for the Klamath River basin is not exceeded. This alternative can not guarantee that anglers will neither fall short of utilizing the quota nor that they will not exceed it.

2. Generally more liberal regulations (bag limits, possession limits and fishing methods) than those proposed: More liberal regulations would be less desirable than those proposed because they could create risk of an intense fishery reaching or exceeding the quota in a very short time. Reaching the quota in a very short time could be damaging to the local economy. Exceeding the allowable harvest could be damaging to the fish populations.

- (b) No Change Alternative: The change is necessary to continue appropriate harvest rates and an equitable distribution of the harvestable surplus.
- (c) Consideration of Alternatives: In view of information currently possessed, no reasonable alternative considered would be more effective in carrying out the purposes for which the regulation is proposed or would be as effective and less burdensome to the affected private persons than the proposed regulation

X. Impact of Regulatory Action:

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businessmen to Compete with Businesses in Other States: The proposed action will not have a significant statewide adverse economic impact affecting businesses, including the ability of California businesses to compete with businesses in

other states. The preservation of Klamath River salmon stocks is necessary for the success of lower and upper Klamath River businesses which provide goods and services related to fishing. The proposed changes are necessary for the continued preservation of the resource and therefore the prevention of adverse economic impacts.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California: None.
- (c) Cost Impacts on Private Persons or Businesses: The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.
- (e) Other Nondiscretionary Costs/Savings to Local Agencies: None.
- (f) Programs Mandated on Local Agencies or School Districts: None.
- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4: None.
- (h) Effect on Housing Costs: None.

Updated Informative Digest/Policy Statement Overview

Hook Size Change for Anadromous Waters of the Klamath River System: Current regulations in subsection (b)(91.1)(A)2. define hook size requirements for the Klamath River system above the Highway 101 bridge. These requirements allow the use of any single hook having a gap between the point and shank that is between $\frac{1}{2}$ and 1 inch; or, any multiple hook having a gap between the point and shank that is between $\frac{1}{4}$ and $\frac{1}{2}$ inch. This requirement was designed to reduce the incidental catch and mortality of juvenile steelhead trout and juvenile coho salmon. Also, area closures currently exist that are designed to protect these fish during the peak juvenile downstream migrations (April/May). For clarification and in the interest of consistency, the Department is proposing a maximum single hook size with a gap no greater than $\frac{5}{8}$ inch and a maximum multiple hook size with a gap no greater than $\frac{1}{2}$ inch. In addition, the Department is recommending pertinent language from Section 2.10, Fishing Methods Restrictions be added to subsection (b)(91.1)(A)2. This recommendation will help clarify and condense fishing gear restrictions for all anadromous waters of the Klamath River System.

The Commission, at its April 4, 2003 meeting, adopted the proposed Hook Size Change for Anadromous Waters of the Klamath River System.

General Area Closures within 750 feet of any Department of Fish and Game Fish Counting Weir: Current regulations in subsection 2.35(b) prohibit any fishing within 250 feet of any dam or any weir or rack which has a fishway or an egg-taking station. The Department is recommending that the closures be extended to within 750 feet of any Department fish counting weir within the Klamath River Basin. This closure will provide additional refugia for migrating adult salmon and steelhead. The Department operates 4 fish counting weirs in the Klamath River system. Data gathered at each weir is used to estimate the number of salmon and steelhead returning to each specific river or stream. The numbers are combined and a total Klamath River Basin estimate is developed and published in Department reports. Fish counting weirs are designed to guide adult salmon and steelhead into a counting facility as they migrate upstream, consequently, weirs tend to congregate adult fish in small areas directly downstream. As fish density downstream of weirs increase, fish have the potential to become more vulnerable to harvest. The Department recommends expanding the closed area near fish counting weirs to reduce fish harvest associated with fish congregating below the weirs.

The Commission, at its April 4, 2003 meeting, adopted the proposed General Area Closures within 750 feet of any Department of Fish and Game Counting Weir.

Quota Adjustment: Under current regulations in subsection (b)(91.1)(C), the allowable Chinook salmon harvest in the Klamath River system is based on spawning run size predictions and spawning escapement goals. The harvest and the distribution of the catch are regulated by seasons, daily and weekly bag and possession limits, and area quotas and allocations. Salmonids from the Klamath River basin are managed through a cooperative system of state, federal, and tribal management agencies. Regulations developed through this system are designed to meet natural and hatchery escapement

needs for these stocks, while providing equitable harvest opportunities to ocean (sport and commercial) and river (sport and tribal) users. The Pacific Fishery Management Council (PFMC) is responsible for adopting recommendations for the management of sport and commercial ocean fisheries in the fishery management zone (three to 200 miles offshore) off the coasts of Washington, Oregon, and California. When approved by the Secretary of Commerce, these recommendations are implemented as ocean fishing regulations by the National Marine Fisheries Service. The Department and the Commission adopt regulations for state waters (inside three miles) that are consistent with federal regulations.

The Klamath River system supports a significant Native American subsistence fishery in addition to the other fisheries. The Klamath River fall-run Chinook salmon harvest allocation between tribal and non-tribal fisheries is based on court decisions and agreement of river fisheries representatives (tribal and non-tribal) under the auspices of the Klamath Fishery Management Council. Tribal fishing regulations are promulgated by the Hoopa and Yurok tribes. Sport fishing regulations are adopted by the Commission. Overall harvest and spawning escapement levels are established and published in the "Amendments to the Fishery Management Plan for Commercial and Recreational Salmon Fisheries off the Coasts of Washington, Oregon, and California Commencing in 1978 (FMP)," adopted by the PFMC for the U.S. Department of Commerce.

Annual adjustment of the quota is necessary to meet natural and hatchery escapement needs for Klamath River fall-run Chinook salmon stocks, while providing equitable harvest opportunities for ocean (sport and commercial) and river (sport and tribal) users. The total river system recreational harvest of fall-run Chinook salmon is currently regulated by a quota. In 2002, the share, or impact quota, for the Klamath River basin allowable sport catch was 20,500 adult fish (39 percent of the total allowable harvest by non-tribal fisheries, including ocean commercial, ocean recreational and recreational river fisheries).

Projections of the abundance of adult Klamath River fall-run Chinook salmon in the 2003 season are not yet available from the PFMC. However, preliminary examination of data available to Department staff suggests that the predicted 2003 fall-run adult Chinook salmon run will be less than the 2002 run. Consequently, the Department is suggesting that the Commission consider a 2003 quota for the river recreational fishery lower than that of last year, and for notice requirements, within a range lower than the 2002 quota (1,200-20,500 adult Chinook salmon). The Commission also will consider modifying the share of the allowable catch allocated to the river recreational fishery (which was 39 percent in 2002). Adjustment of this share is included in the recommended 1,200-20,500 range of the quota. As in prior years, the river recreational fishing quota would be split evenly between fisheries above and below Coon Creek Falls.

In the Initial Statement of Reasons, the Department advised the Commission that based on information then available, the PFMC quota recommendation for the 2003 river recreational fishery was likely to fall within a range of from 1,200 to 20,500 adult fall-run Chinook salmon. The PFMC's final quota recommendation of 10,800 fish falls within the range adopted by the Commission at its April 4, 2003 meeting in Visalia.

Department Status Report: Current regulations require the Department to provide daily status reports on the progress towards sub-basin quotas. The reports are updated daily and are available by calling a 1-800 number. Due to reduced funding and staffing levels expected in 2003, the Department is recommending that updates of status reports occur weekly, rather than daily. No adverse impacts to anglers or the environment are anticipated if quota status reports are updated weekly instead of daily.

The Commission, at its April 4, 2003 meeting, adopted the proposed change to update the Department Status Report weekly rather than daily.

Closures to Modify Allocations: The Department believes that the regulations should, if possible, allow fishing opportunities for adult fall-run Chinook salmon throughout the entire Klamath River Basin. Currently, the annual recreational impact quota is split evenly, with 50% of the quota allocated to the Klamath River below Coon Creek Falls and 50% to the remainder of the Klamath River Basin above Coon Creek Falls, including the Trinity River. Current regulations define three sub-quota areas above Coon Creek Falls. The three quotas ensure equitable harvest distribution of adult Chinook in the upper Klamath and Trinity rivers. The current quota system requires the Department to monitor angler harvest of adult Chinook in each sub-quota area on a real time basis. Due to likely funding and personnel reductions, the Department will be unable to deploy adequate personnel to conduct harvest monitoring for the 2003 season. Instead, the following recommendations are based on data analysis and management experiences from previous years (1993 – 1999) that limited harvest in the upper reaches of the Klamath River Basin relative to known harvest in the lower Klamath River below Coon Creek Falls.

1. Allowable Fishing Season from Coon Creek Falls to 3,500 feet below Iron Gate Dam: In previous years, the Department established a sub-quota (17% of the basin impact quota) for the Klamath River above the falls at Coon Creek to 3,500 feet below Iron Gate Dam. The sub-quota area was established to equitably distribute the catch of adult Chinook salmon to the upper Klamath River. When the Initial Statement of Reasons was prepared, the Department had not committed to monitoring the harvest above Coon Creek Falls to 3,500 feet below Iron Gate Dam. Therefore, the Department recommended that fishing for adult Chinook salmon continue for an additional 28 days beginning when 50% of the basin impact quota has been taken below the falls at Coon Creek. The Department has since committed to monitor the fishery from Coon Creek Falls to 3,500 feet below Iron Gate Dam to ensure anglers have full utilization of the 17% sub-quota allocation.

2. Trinity River Main Stem - Allowable Fishing Season from Old Lewiston Bridge to the Highway 299 West Bridge at Cedar Flat: The Department has reviewed all available Trinity River Chinook harvest and run timing data for this area. Based on this review, the Department is recommending seasonal closures based on a quota range of 10,000-16,000 fish. The length of the closed season will range from 0-20 days between the dates of August 1 through November 30, 2003.

Based on the PFMC quota recommendation of 10,800 adult fall-run Chinook salmon and stakeholder input received during a public meeting held on March 26, 2003 in Weaverville, CA, the Department withdrew its recommendation for seasonal closures on the Trinity River from Old Lewiston Bridge to the Highway 299 West Bridge at Cedar Flat as reflected in the Initial Statement of Reasons and Pre-adoption Statement of Reasons.

3. Trinity River Main Stem - Allowable Fishing Season from Hawkins Bar Bridge (Road to Denny) Downstream to the Mouth of the Trinity: The Department has reviewed all available Trinity River Chinook harvest and run timing data for this area. Based on this review, the Department is recommending seasonal closures based on a quota range of 10,000-16,000 fish. The length of the closed season will range from 0-20 days between the dates of August 1 through November 30, 2003.

Based on the PFMC quota recommendation of 10,800 adult fall-run Chinook salmon and stakeholder input received during a public meeting held on March 26, 2003 in Weaverville, CA, the Department withdrew its recommendation for seasonal closures on the Trinity River Hawkins Bar Bridge (Road to Denny) downstream to the mouth of the Trinity as reflected in the Initial Statement of Reasons and Pre-adoption Statement of Reasons.

Restrictions to Fishing when Iron Gate Hatchery and Trinity River Hatchery Meet Spawning Escapement Goals: Current regulations in subsection (b)(91.1)(C)1.c.iii. and subsection (b)(91.1)(C)1.d.iii allow anglers to harvest adult Chinook salmon after quota attainment from 3,500 feet below Iron Gate Dam to the Interstate 5 bridge when the Department determines that the adult fall Chinook salmon spawning escapement at Iron Gate Hatchery exceeds 8,000 adult fish. Trinity River anglers are allowed to harvest adult Chinook salmon after the quota is met from Old Lewiston Bridge to the mouth of Indian Creek when the Department determines that spawning escapement at Trinity River Hatchery exceeds 4,800 adult fish. The current language does not clearly state that anglers can harvest adult Chinook salmon prior to the quota being attained. Therefore, the Department is recommending new language which indicates that prior to quota attainment anglers can catch and keep adult Chinook salmon in the above mentioned river sections.

The Commission, at its April 4, 2003 meeting, adopted the proposed clarifying language changes concerning Restrictions to Fishing When Iron Gate Hatchery and Trinity River Hatchery Meet Spawning Escapement Goals.

Allowing the Harvest of One Brown Trout. In all anadromous waters of the Klamath River system where the take of salmon and steelhead is allowed, anglers can catch and keep three Chinook salmon of which only two can be over 22 inches total length and one hatchery trout or one hatchery steelhead. Hatchery origin trout or steelhead are identified by a missing adipose fin. The Department is recommending adding one brown trout to the daily bag limit. Anglers would have the opportunity to catch and keep one hatchery trout, or one hatchery steelhead, or one brown trout in addition to their

Chinook salmon limit. Non-native brown trout have become well established in the Klamath River System, particularly in the Trinity River Basin. Brown trout are highly predatory and prey upon juvenile Chinook and coho salmon and steelhead trout. Allowing the take of brown trout will reduce predation on juvenile salmon and steelhead while diversifying angler harvest.

The Commission, at its April 4, 2003 meeting, adopted the proposed change to Allow the Harvest of One Brown Trout.

Reduction in Daily Bag Limit, Weekly Bag Limit and Possession Limit: The 2003 quota to be recommended by the PPMC is not currently known; however, it is expected to be much lower than that established for the 2002 season. Consequently, the Department is recommending a modification in daily bag, weekly bag, and possession limits for the 2003 Klamath River sport fishery.

The Department is recommending that the Commission consider the following Klamath River recreational fishery changes to reflect a reduction in the Klamath River basin impact quota:

1. Reduction in Daily Bag Limit: The daily bag limit, as specified in the current regulation, is three king salmon (Chinook salmon), but no more than two adult king salmon over 22 inches, and one hatchery trout or hatchery steelhead. The Department is proposing that the Commission modify the king salmon daily bag limit to a total of three king salmon, but no more than one king salmon over 22 inches total length and one hatchery trout, or one hatchery steelhead or one brown trout.
2. Reduction in Weekly Bag Limit: The current regulation specifies that no more than six king salmon over 22 inches may be retained in any seven consecutive days. The Department is proposing that the Commission consider amending this provision to reduce the weekly bag limit to four king salmon over 22 inches total length in a seven-day period.
3. Possession Limit: The current regulation specifies that no more than 12 king salmon may be possessed, of which no more than six may be over 22 inches total length. The Department is proposing that the Commission consider modifying the possession limit to no more than 12 king salmon, of which no more than four may be over 22 inches total length.

The Commission, at its April 4, 2003 meeting, adopted the proposed changes to the daily bag, weekly bag, and possession limits.

Minor editorial, non-substantive changes were made to language pertaining to 7.50(b)(91.1)(F) 5., regarding the Shasta River. There are two Interstate 5 bridge crossings on the Shasta River. Current regulatory language does not identify the specific bridge crossing. Additional language was added to clearly state that the regulation refers to the bridge crossing north of Yreka.

**STATE OF CALIFORNIA
FISH AND GAME COMMISSION
ADDENDUM TO FINAL STATEMENT OF REASONS
FOR REGULATORY ACTION**

Amend Section Subsection (b)(91.1), of Section 7.50
Title 14, California Code of Regulations
Re: Klamath River Sport Fishing Regulations

V. Update:

In the minutes of the Commission's April 4, 2003 meeting (Item 10 in the File Index), in the "Summary of the Issue" given for agenda item 18, the description of the proposed amendments to the Klamath River regulations was the same as was used for the Commission's February 7, 2003 (Item 2 in the File Index) meeting when authorization to publish notice of the proposed changes was given. This was done because the Pre-adoption Statement of Reasons (Item 8 in the File Index) was not received from the Department in time to update the "Summary of the Issue" with the information given in the Pre-adoption Statement.

Because the same description was used in the minutes of both meetings it could cause the impression that the Commission did not have the final regulatory language available when they adopted the proposed changes. However, the minutes of the April 4 adoption meeting also state that Mr. Eric Larson addressed the Commissioners and reviewed the department's final language, including the specific quota numbers for the entire Klamath Basin and for the spit area at the mouth of the Klamath River. Mr. Larson provided the Commissioners with the same quota numbers in his review as was used in the Final Statement of Reasons and in the Copy of order (Item 17 in the File Index).

Subsection 7.50(b)(91.1), Title 14, California Code of regulations is amended to read:

(91.1) Anadromous Waters of the Klamath River Below Iron Gate Dam (Lower Klamath River Basin). The regulations in this subsection apply only to waters of the Klamath River system which are accessible to anadromous salmonids. They do not apply to waters of the Klamath River which are inaccessible to anadromous salmon and trout, for example, portions of the Klamath River system upstream from Iron Gate Dam, portions of the Trinity River system above Lewiston Dam, and the Shasta River and tributaries above Dwinnel Dam. Fishing in these waters is governed by the General Regulations for non-anadromous waters of the North Coast District (see Section 7.00(a)(5)).

(A) Special Fishing Methods Restrictions:

1. Only barbless hooks may be used.
~~2. Where bait use is allowed, bait may be used only with single hooks having a gap between the point and shank between 1/2 and 1 inch, or with multiple hooks having a gap between the point and shank between 1/4 and 1/2 inch. Exception: there is no minimum hook size below the Highway 101 bridge.~~

2. Maximum Length of Shank: Hooks with shanks longer than two inches are prohibited.

3. Maximum Gaps: No person shall use any single hook with a gap greater than 5/8 inch or any multiple hooks with a gap greater than 1/2 inch.

4. Weight Attachment Restrictions: All weight, unless part of a manufactured or conventional lure, must be attached above the hooks. It is unlawful to use any hook which is directly or indirectly attached closer than 18 inches to any weight exceeding 1/2 ounce unless the weight is part of a manufactured or conventional lure.

~~5.3.~~ During closures to the take of adult salmon, anglers shall not remove any adult king salmon from the water by any means, such as by dragging the fish on shore or using a net.

~~4. In the Klamath River, within 100 yards of the channel through the spit formed at the mouth, weights may be used only if hard tied to a drop line that is between 12 inches and 24 inches long and that is attached to the main fishing line no more than 36 inches above the hook.~~

(B) General Area Closures:

1. No fishing is allowed within 750 feet of any Department of Fish and Game fish-counting weir.

~~2.4.~~ No fishing is allowed from the Ishi Pishi Falls road bridge upstream to and including Ishi Pishi Falls from Aug. 15 through Nov. 1. Exception: members of the Karuk Indian Tribe listed on the current Karuk Tribal Roll may fish at Ishi Pishi Falls using hand-held dip nets.

~~3.2.~~ No fishing is allowed from Sept. 15 through Nov. 15 in the Klamath River within 500 feet of the mouths of the Salmon, the Shasta and the Scott rivers.

(C) Lower Klamath River Basin King Salmon Impact Quotas: NOTE: The Lower Klamath River Basin chinook salmon take is regulated using quotas. Accounting of the tribal and non-tribal harvest each year is closely coordinated during the period from August 1 through November 30. The term "impact quota" is the recreational catch of adult fall-run king salmon, plus the estimated number of adult fall-run king salmon lost as a result of hook-and-release mortality.

1. Quota for Entire Basin: The ~~2002~~2003 Klamath River basin quota is ~~20,500~~ 10,800 king salmon over 22 inches total length. Separate quotas have been established from the mouth of the Klamath River to the falls at Coon Creek and from the falls at Coon Creek upstream to Iron Gate Dam, including the Trinity River from its confluence with the Klamath upstream to the Old Lewiston Bridge for five individual area subdivisions as listed below in subsection (b)(91.1)(C)1.a.-e., with restrictions for each area designed to assure that the quota for the entire basin is not exceeded. The restrictions triggered by quotas apply only during the period from August 1 through November 30. The department shall inform the commission, and the public via the news media, prior to any implementation of restrictions triggered by the quotas. (NOTE: A Department status report on progress toward the quotas for the various river sections is updated ~~daily~~ weekly, and available at 1-800-564-6479.)

a. Spit Area (within 100 yards of the channel through the sand spit formed at the Klamath River mouth): This area is closed to all fishing after 15% of the Klamath River basin impact quota has been taken below the Highway 101 bridge. (Note: This provision only applies if the Department projects that the total Klamath River basin impact quota will be met.) In ~~2002~~ 2003, this number is ~~3,075~~ 1,620. ~~(Also, see subsection (b)(91.1)(A)4. above.)~~

b. Klamath River Below Coon Creek Falls: No salmon over 22 inches total length may be retained after 50% of the basin impact quota has been taken below Coon Creek Falls.

- c. Klamath River from Iron Gate Dam to falls at Coon Creek:
- (i) No salmon over 22 inches total length may be retained from April 1 through July 31.
 - (ii) No person shall retain any salmon over 22 inches total length after the Department determines that may be retained after 50% 17% of the Klamath River basin impact quota has been taken in the Klamath River from Iron Gate Dam to basin above Coon Creek Falls . Exception: (iii) King salmon over 22 inches total length may be retained from 3,500 feet below Iron Gate Dam to the Interstate 5 bridge when the Department determines that the adult fall-run king salmon spawning escapement at Iron Gate Hatchery exceeds 8,000 fish.
- d. Trinity River from the Old Lewiston Bridge to the Highway 299 West Bridge at Cedar Flat:
- (i) Closed to fishing April 1 through the Friday preceding the fourth Saturday in May.
 - (ii) No salmon over 22 inches total length may be retained after 50% of the basin quota has been taken in the Klamath River basin above Coon Creek Falls. Exception: (iii) King salmon over 22 inches total length may be retained from the Old Lewiston Bridge to the mouth of Indian Creek when the Department determines that the adult fall-run king salmon spawning escapement at Trinity River Hatchery exceeds 4,800 fish.
- e. Trinity River from Hawkins Bar Bridge (Road to Denny) downstream to the mouth of the Trinity:
- (i) Closed to all fishing from April 1 through the Friday preceding the fourth Saturday in May.
 - (ii) ~~No salmon over 22 inches total length may be retained after 16.5% of the basin quota has been taken in the Trinity River from Hawkins Bar Bridge (Road to Denny) downstream to the mouth of the Trinity,~~ or 50% of the basin quota has been taken in the Klamath River basin above Coon Creek Falls.
- (D) Klamath River Basin General Seasons and Bag and Possession limits:
- In anadromous waters of the Klamath River basin, except for those with special bag limits provided in subsection (b)(91.1)(F) below, the daily trout/salmon bag limit is 3 king salmon, but no more than ~~2~~ 1 king salmon over 22 inches total length, and 1 hatchery trout or 1 brown trout or 1 hatchery steelhead**. No more than ~~6~~ 4 king salmon over 22 inches total length may be retained in any 7 consecutive days. No more than 12 king salmon may be possessed, of which no more than ~~6~~ 4 may be over 22 inches total length. (Note: Salmon bag limits change in some areas when quotas are reached (see subsection (b)(91.1)(C) above).)
- (E) All anadromous waters of the Klamath River Basin are closed to all fishing all year, except those listed in subsection (b)(91.1)(F) below.
- (F) Special Seasons. Daily Bag Limits, and Special Fishing Methods Restrictions for Waters of the Lower Klamath River Basin Which Have Open Fishing Seasons. Waters listed below are closed to all fishing except during the open seasons listed. Bag limits are for trout and salmon in combination unless otherwise specified.

<i>Body of Water</i>	<i>Open Season and Special Regulations</i>	<i>Daily Bag Limit (if different from general bag limits in subsection (b)(91.1)(D) above)</i>
1. Bogus Creek and tributaries.	Fourth Saturday in May through Aug. 31. Only artificial lures with barbless hooks may be used.	0
2. Klamath River main stem from 3,500 feet below Iron Gate Dam to mouth.	All year.	Quota Area. See subsection (b)(91.1)(C) above.
3. Salmon River main stem, main stem of North Fork, below Sawyer's Bar Bridge and main stem of South Fork below the confluence of the East Fork of the South Fork.	Nov. 1 through Feb. 28.	0

4. Scott River main stem from mouth to Fort Jones-Greenvew bridge.	Fourth Saturday in May through Feb. 28.	0
5. Shasta River main stem from Interstate 5 <u>bridge north of Yreka</u> to the mouth.	Fourth Saturday in May through Aug. 31 and Nov. 16 through Feb. 28.	0
6. Trinity River and tributaries.		
a. Trinity River main stem from 250 feet below Lewiston Dam to Old Lewiston bridge.	Last Saturday in Apr. through Sept. 15. Only artificial flies with barbless hooks may be used.	0
b. Trinity River main stem from Old Lewiston bridge to the Highway 299 West bridge at Cedar Flat.	Fourth Saturday in May through Mar. 31.	Quota Area. Also see subsection (b)(91.1)(C) above.
c. Canyon Creek above the falls located about four miles above the wilderness area boundary.	Last Saturday in Apr. through Nov. 15.	2
d. Trinity River main stem from the Highway 299 West bridge at Cedar Flat downstream to the Hawkins Bar Bridge (Road to Denny).	Fourth Saturday in May through Aug. 31 and Dec. 1 through Mar. 31.	See subsection (b)(91.1)(D) above.
e. Trinity River main stem from Hawkins Bar Bridge (Road to Denny) to the confluence with the Klamath River.	Fourth Saturday in May through Mar. 31.	Quota Area. Also see subsection (b)(91.1)(C) above.
f. Trinity River South Fork downstream from the mouth of Grouse Creek.	Fourth Saturday in May through Mar. 31.	1 hatchery trout or 1 hatchery steelhead** 0 king salmon
g. Trinity River South Fork from the mouth of Grouse Creek to the South Fork Trinity River bridge at Hyampom.	Nov. 1 through Mar. 31.	1 hatchery trout or 1 hatchery steelhead** 0 king salmon
h. Hayfork Creek main stem, from Highway 3 bridge in Hayfork downstream to the mouth.	Fourth Saturday in May through Mar. 31. Only artificial lures with barbless hooks may be used.	0

**Hatchery trout or steelhead are those showing a healed adipose fin clip (adipose fin is absent). Unless otherwise provided, all other trout and steelhead must be immediately released. Wild trout or steelhead are those not showing a healed adipose fin clip.

NOTE: Authority cited: Sections 200, 202, 205, 215, 220, 240, 315, and 316.5, Fish and Game Code.
Reference: Sections 200, 205, 206, 215, and 316.5, Fish and Game Code.